IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE V.K.MOHANAN

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

DBA.No. 91 of 2002()

APPLICANT

SECRETARY, PERUMPILLY SREE NARASIMHA
SWAMI KSHETRA KSHEMA SAMITHI,
PERUMPILLY P.O., MULANTHURUTHY.

BY ADV. SRI.T.B.THANKAPPAN

RESPONDENTS:
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1. SECRETARY, KOCHI DEVASWOM BOARD,
THRISSUR.

2. THE DISTRICT COLLECTOR, ERNAKULAM.

3. THE VILLAGE OFFICER, MULANTHURUTHY.

4. ADDL.R4: V.B.GOPINATHAN,
VADAKKE KANNOTHU HOUSE, P.O.PERUMPILLY,
MULAMTHURUTHY, ERNAKULAM DISTRICT,
PIN- 682 314.
THE ABOVE PERSON IS IMPLEADED AS ADDL. R4 VIDE
ORDER DATED 1.07.2003 ON I.A.426/2003.

BY ADV. SRI.M.RAMESH CHANDER, SC, CDB
SRI.P.RAVINDRAN
SRI.K.GOPALAKRISHNA KURUP,SC,COCHIN D.B

THIS DEVASWOM BOARD APPLICATION HAVING BEEN FINALLY HEARD ON 22/08/2007, ALONG WITH OP NO. 9958 OF 2003 WPC NO. 2007 OF 2004 , THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S.RADHAKRISHNAN & V.K.MOHANAN, JJ

D.B.A.91/2002, O.P.9958/2003 & W.P.(C).2007/2004

Dated this the 22nd day of August, 2007

JUDGMENT

Radhakrishnan, J

Applications have been preferred by the Secretary of Perumpilly Sree Narasimha Swamy Kshetra Kshema Samithi seeking a direction to the first respondent to initiate action for measuring the properties belonging to the Temple on the basis of Ext.P1 register. Petitioner has also sought a prayer that till the process is over respondents 2 and 3 may be directed not to exercise any act of possession in the properties detrimental to the interest, possession and ownership of the temple.

Detailed statement has been filed on behalf of the Cochin Devaswom Board wherein it has been stated that by the proceedings dated 16th November 1922 of the Diwan of Cochin, the Government of Cochin has ordered that the registered Wells, tanks, Ulsavam grounds, road and lines attached to Devaswom should be altered from “Sarkar puramboke” to “temple poramboke” as in British India. It is also stated that in most cases, village records have not been corrected in accordance with this

proceedings though the land, road etc., are in the actual possession and enjoyment of the Devaswom. All these aspects have to be considered by the Devaswom. Application is therefore, disposed of directing the first respondent to take appropriate action with the assistance of respondents 2 and 3 with notice to the petitioner in O.P.9958/2003 also, within three months from the date of receipt of a copy of this judgment. In view of the above mentioned orders, W.P.(C).2007/2004 is also allowed. So also D.B.A.91/2002.

K.S.RADHAKRISHNAN
Judge

V.K.MOHANAN
Judge

mrcs